

**MINUTES OF THE
HOUSE JUDICIARY
STANDING COMMITTEE**

Friday, February 10, 2017 • 3:00 pm • 20 House Building

Members Present:

Rep. Mike K. McKell, Chair
Rep. V. Lowry Snow, Vice Chair
Rep. Kim F. Coleman
Rep. Bruce R. Cutler
Rep. Brian M. Greene
Rep. Ken Ivory
Rep. Brian S. King
Rep. Karianne Lisonbee

Rep. Dixon M. Pitcher
Rep. Susan Pulsipher
Rep. Tim Quinn
Rep. Mark A. Wheatley

Staff Present:

Mr. Joseph T. Wade, Policy Analyst
Mr. Steve Benard, Committee Secretary

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at le.utah.gov.

Chair McKell called the meeting to order at 3:09 p.m.

1. H.B. 239 Juvenile Justice Amendments (*Snow, V. L.*)

Rep. V. Lowry Snow presented the bill with the assistance of Ron Gordon, Executive Director, Utah Commission on Criminal and Juvenile Justice.

Susan Burke, Director of Juvenile Justice Services, spoke to the bill.

Rick Schwermer, Assistant Court Administrator, Administrative Office of the Courts, spoke in favor of the bill.

William Carlson, representing the Statewide Association of Prosecutors, spoke in opposition to the bill.

Debbie Hawks spoke in favor of the bill.

Paul Wake spoke against the bill.

Jonna Harrison spoke in favor of the bill.

Ann Silverberg Williamson spoke in favor of the bill.

Kayley Richards, Program Director, Salt Lake Peer Court, in favor of the bill.

Susan Burke, Director of Juvenile Justice Services, spoke in favor of the bill.

Savita Basacoti spoke in favor of the bill.

MOTION: Rep. Pitcher moved to replace H.B. 239 with 1st Substitute H.B. 239. The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

MOTION: Rep. King moved to report a favorable recommendation on 1st Substitute H.B. 239. The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

2. H.B. 197 Custody and Adoption Amendments (*Hawkes, T.*)

Rep. Timothy D. Hawkes presented the bill with the assistance of Diane Moore, Department of Human Services.

MOTION: Rep. Lisonbee moved to replace H.B. 197 with 1st Substitute H.B. 197. The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

MOTION: Rep. Ivory moved to amend 1st Substitute H.B. 197 with Amendment #1.

1. Page 5, Lines 142 through 143:

142 (d) If, as provided in Subsection (11)(b)(vii)(B), there is a responsible relative known
143 to the court who does not have a disqualifying { ~~offense~~ offense ;

The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

MOTION: Rep. Ivory moved to report a favorable recommendation on 1st Substitute H.B. 197, as amended. The motion passed with a vote of 12-0-0.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. D. Pitcher
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Rep. Snow assumed the chair.

3. H.B. 141 Unborn Child Protection Amendments (*Stratton, K.*)

Rep. Keven J. Stratton presented the bill with the assistance of Dr. Teresa Durban.

Catherine Bright spoke in favor of the bill.

Mary Taylor, President of Pro-Life Utah, spoke in favor of the bill.

Michelle McOmber, Utah Medical Association, spoke in favor of the bill.

Dr. Leah Torres spoke in opposition to the bill.

Jonathan L. Peterson spoke in favor of the bill.

Marina Lowe, Legislative and Policy Counsel, ACLU of Utah, spoke to the bill.

Laura Bunker spoke in favor of the bill.

Judy Larson spoke in opposition to the bill.

Kristy Nielsen spoke in favor of the bill.

Brenda Carroll spoke in opposition to the bill.

Maryann Christensen, Executive Director, Utah Eagle Forum, spoke in favor of the bill.

Dr. Ellen Brady spoke in opposition to the bill.

Deanna Holland, Pro-Life Utah, spoke in favor of the bill.

Kate Kelly spoke in opposition to the bill.

Regina Burton spoke in favor of the bill.

Antares Walrath spoke in opposition to the bill.

Mary Kelsch spoke in favor of the bill.

Kim Fearick spoke in opposition to the bill.

Nicholeen Peck, Worldwide Organization for Women, spoke in favor of the bill.

Magdalen Daynes, Utah Women Unite, spoke in opposition to the bill.

Emily Boberg spoke in favor of the bill.

Karey Patterson spoke in opposition to the bill.

Dani Hartvigsen, the Coalition for Family Values, spoke in favor of the bill.

Kathryn Jones-Porter spoke in opposition to the bill.

Kris Kimball spoke in favor of the bill.

Vickie Morgan spoke in opposition to the bill.

Dawn Bates spoke in favor of the bill.

Dr. Jen Schwartz, Phd spoke in opposition to the bill.

Jacqueline Briggs spoke in opposition to the bill.

Hillary McDaniel spoke in opposition to the bill.

Dawn Nunn spoke in opposition to the bill.

Chelsea Shields spoke in opposition to the bill.

MOTION: Rep. McKell moved to replace H.B. 141 with 2nd Substitute H.B. 141. The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Abs:

Rep. K. Coleman

Rep. B. Cutler

Rep. B. Greene

Rep. K. Ivory

Rep. B. King

Rep. K. Lisonbee

Rep. M. McKell

Rep. S. Pulsipher

Rep. T. Quinn

Rep. V. Snow

Rep. M. Wheatley

Rep. D. Pitcher

MOTION: Rep. King moved to amend 1st Substitute H.B. 141 with Amendment #1.

1. Page 9, Lines 251 through 252:

251 (d) explain the options and consequences of aborting a medication-induced
abortion { —
252 ~~and the circumstances under which time may be of the essence~~ } ; and

The motion passed with a vote of 11-0-1.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Rep. D. Pitcher

MOTION: Rep. Lisonbee moved to report a favorable recommendation on 2nd Substitute H.B. 141, as amended. The motion passed with a vote of 9-2-1.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. B. Cutler
Rep. B. Greene
Rep. K. Ivory
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow

Rep. B. King
Rep. M. Wheatley

Rep. D. Pitcher

4. H.B. 145 Foster Children Visitation Amendments (Ivory, K.)

Rep. Ken Ivory presented the bill.

MOTION: Rep. McKell moved to replace H.B. 145 with 1st Substitute H.B. 145. The motion passed with a vote of 10-0-2.

Yeas:

Rep. K. Coleman
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Nays:

Abs:

Rep. B. Cutler
Rep. D. Pitcher

MOTION: Rep. Ivory moved to amend 1st Substitute H.B. 145 with Amendment #1.

1. Page 15, Lines 449 through 452:

449 (19) When a child is under the custody of the division and has been separated from a
450 sibling due to foster care or adoptive placement, a court { ~~my~~ may order
sibling visitation, subject to
451 the division obtaining consent from the sibling's legal guardian, according to the court's
452 determination of the best interests of the child for whom the hearing is held.

The motion passed with a vote of 10-0-2.

Yeas:

Rep. K. Coleman
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Nays:

Abs:

Rep. B. Cutler
Rep. D. Pitcher

MOTION: Rep. Quinn moved to report a favorable recommendation on 1st Substitute H.B. 145, as amended. The motion passed with a vote of 10-0-2.

Yeas:

Rep. K. Coleman
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Nays:

Abs:

Rep. B. Cutler
Rep. D. Pitcher

5. H.B. 15 Alimony Amendments (*Stratton, K.*)

Rep. Keven J. Stratton presented the bill.

MOTION: Rep. Pulsipher moved to report a favorable recommendation on H.B. 15. The motion passed with a vote of 10-0-2.

Yeas:

Rep. K. Coleman
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Nays:

Abs:

Rep. B. Cutler
Rep. D. Pitcher

MOTION: Rep. Lisonbee moved to place H.B. 15 on the Consent Calendar. The motion failed with a vote of 8-2-2.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. K. Ivory
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Rep. B. Greene
Rep. B. King

Rep. B. Cutler
Rep. D. Pitcher

MOTION: Rep. Quinn moved to adjourn. The motion passed with a vote of 10-0-2.

Yeas:

Nays:

Abs:

Rep. K. Coleman
Rep. B. Greene
Rep. K. Ivory
Rep. B. King
Rep. K. Lisonbee
Rep. M. McKell
Rep. S. Pulsipher
Rep. T. Quinn
Rep. V. Snow
Rep. M. Wheatley

Rep. B. Cutler
Rep. D. Pitcher

Vice Chair Snow adjourned the meeting at 7:05 p.m.

Michael K. McKell, Chair